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GOVERNMENT OF KERALA

Co-operation (B) Department

NOTIFICATION

G.O.(P)No.44/2025/Co-op

Dated, Thiruvananthapuram, 02nd April, 2025.
19th Meenam, 1200 .

S. R. O. No. 380/2025

In exercise of the powers conferred by section 109 of the Kerala Co-operative Societies Act, 1969 (21 of 1969), the Government of Kerala hereby make the following rules further to amend the Kerala Co-operative Societies Rules, 1969, the same having been previously published under Notification No.B1/43/2022/Co-op dated 21st



February, 2025 in the Kerala Gazette Extraordinary No.669 dated 22nd February, 2025 as required by sub-section (1) of section 109 of the said Act, namely:-

RULES

1. Short title and commencement.- (1) These rules may be called the Kerala Co-operative Societies (Amendment) Rules, 2025.

(2) They shall come into force at once.

2. Amendment of the Rules.- In the Kerala Co-operative Societies Rules, 1969, after rule 43B, the following rule shall be added, namely:-

43C. Motion of no confidence for removal of Managing Committee by General Body.- (1) A motion expressing want of confidence in the Managing Committee of a Society/Bank shall be moved in accordance with the procedure laid down herein.

(2) Written notice of intention to move any motion referred to in sub-rule (1) signed by such number of members of the Society/Bank shall constitute not less than one-third of the total members together with a copy of the motion which is proposed to be moved shall be delivered to the Registrar, in person, by any of the two members of the Society/Bank signing the notice.

(3) The Registrar or any officer authorised by him shall convene a meeting of the General Body of the Society/Bank for the consideration of the motion, to be held at the office of the Society/Bank at a date and time appointed by the Registrar or any officer authorised by him which shall not be later than thirty days from the date on which the notice under sub-rule(2) is delivered to the Registrar.

(4) The Registrar or any officer authorised by him shall cause to publish/affix a notice on the notice board of the head office of the Society/Bank indicating the date,



time and agenda, at least fifteen days prior to such meeting of the General Body to be held, for the knowledge of the members of General Body.

(5) A meeting convened under this rule shall be presided over by the Registrar or any officer authorised by him.

(6) A meeting convened for the purpose of considering the motion under this rule shall not be adjourned except for reasons beyond human control. No meeting under this rule shall be held, if at the time appointed under the foregoing provisions or, within half an hour from such time, such number of members as shall constitute the quorum of the General Body of the Society/Bank prescribed in the bye- laws of the Society/Bank are not present.

(7) As soon as the meeting convened under this rule has commenced, the officer presiding shall read at the meeting the motion for the consideration of which it has been convened and declared it to be open for debate.

(8) No debate on any motion under this rule shall be adjourned except for reasons beyond human control.

(9) A debate on any no-confidence motion shall automatically terminate on the expiry of three hours from the time appointed for the commencement of the meeting. If it is not concluded earlier and upon the conclusion of the debate or upon the expiry of such period of three hours as the case may be, the motion shall be put to vote.

(10) The officer presiding shall not speak on the merit/demerit of the motion, and shall not be entitled to vote thereon.

(11) The copy of the minutes of the meeting together with the copy of the motion and the result of the voting therein shall forthwith, on the termination of the meeting, be forwarded to the Registrar by the officer presiding the meeting.

(12) If the motion is carried with the support of the majority of the number of members of the General Body, the Managing Committee which lost the confidence



shall cease to hold office thereafter and shall be deemed to be vacant forthwith, and the Registrar shall issue an order appointing an Administrator or Administrative Committee in accordance with the provisions of section 33 of the Kerala Co-operative Societies Act, 1969.

(13) If the motion is not carried by such majority as aforesaid or the meeting cannot be held for want of quorum, under sub-rule (6), no notice of any subsequent motion expressing want of confidence in the same Managing Committee shall be received until after the expiry of six months from the date of meeting or the date fixed for the motion, as the case may be.

By order of the Governor,
DR. VEENA N. MADHAVAN,
Special Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Honourable High Court of Kerala in its Judgment dated 14th March, 2022 in Writ Appeal No.159/2022 has held that even though the provision for removal of the entire Managing Committee by the General Body has been contemplated in the Act, rules have not been framed despite lapse of almost 50 years. There is, therefore, an urgent need to frame rules for giving effect to the provision in the Act which enables removal of a managing committee by the general body through a no-confidence motion, or else; with the frequent shifting of loyalties by persons belonging to different political parties who are in the helm of affairs in majority of



co-operative societies in the State, the smooth functioning of the co-operative societies would be affected. Accordingly, Government have decided to frame rules for the said purpose. Consequently, the Draft rules were published as required under sub-section (1) of Section 109 of the Kerala Co-operative Societies Act, 1969 as per Notification No.B1/43/2022/Co-op dated 21st February, 2025 in the Kerala Gazette Extraordinary No.669 dated 22nd February, 2025 inviting suggestions or objections, if any, in respect of the said draft Rules. Government have received many suggestions and objections and after considering the same, it is now decided to make necessary amendment to the said rules suitably.

The notification is intended to achieve the above object.

